



State of Louisiana

Louisiana Department of Health

HEALTHCARE FACILITY NOTICE

EMERGENCY ORDER – NURSING FACILITIES COVID-19 TESTING REQUIREMENTS

FOR IMMEDIATE RELEASE

TO: All licensed Nursing Facilities in Louisiana

FROM: LDH Office of Public Health
Joseph Kanter, MD, MPH, State Health Officer

RE: State Health Officer Order
Nursing Facility COVID-19 Testing Requirements

DATE: April 28, 2021

.....

EFFECTIVE DATES: This Emergency Order shall be effective immediately and shall remain in effect until further notice from the State Health Officer or until updated COVID-19 testing requirements from the Centers for Medicare & Medicaid Services (CMS) are issued.

RATIONALE AND LEGAL AUTHORITY:

On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the COVID-19 outbreak a “public health emergency of international concern” (PHEIC). On January 31, 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency (PHE) for the United States, effective January 27, 2020. Pursuant to the Louisiana Health Emergency Powers Act, R.S. 29:760, *et seq.*, a state of public health emergency resulting from the outbreak of “coronavirus disease 2019” (“COVID-19”) was declared to exist in the entire State of Louisiana by Proclamation Number 25 JBE 2020.

The COVID-19 pandemic/public health emergency in Louisiana continues. Measures are necessary to protect the health and safety of the public. The measures ordered herein are in line with the best guidance and direction from the Centers for Medicare and Medicaid Services (CMS).

LDH – Emergency Order – Nursing Facility COVID-19 Testing Requirements

April 28, 2021

Page 2

The State Health Officer expressly finds that the measures ordered herein are necessary to help control and prevent further spread of COVID-19, a communicable, contagious, and infectious disease that represent a serious and imminent threat to the public health.

NOW THEREFORE, pursuant to the powers vested in me by L.R.S. 40:1 *et seq.*, particularly La. R.S. 40:4(A)(13) and La. R.S. 40:5(A)(2), I, Joseph Kanter, MD, MPH, State Health Officer, do hereby issue the following emergency order:

(1) All Nursing Facilities licensed in Louisiana are mandated and directed to follow the provisions of the Centers for Medicare and Medicaid Services (CMS), QSO-20-38-NH, entitled “Interim Final Rule (ICF), CMS-3401-IFC, Additional Policy and Regulatory Revisions in Response to the COVID-19 Public Health Emergency related to Long-Term Care (LTC) Facility Testing Requirements and Revised COVID-19 Focused Survey Tool”, as revised/issued by CMS on April 27, 2021. A copy of such CMS Memorandum is attached.

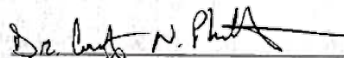
(2) This State Health Officer Order replaces and supersedes any previously issued State Health Officer orders/notices or LDH notices, guidance, and recommendations (including but not limited to the April 1, 2021, LDH Letter/Notice to Nursing Facilities) to licensed nursing facilities regarding COVID-19 testing of residents and staff.

Signed in Baton Rouge, Louisiana on April 28, 2021.



Joseph Kanter, MD, MPH
State Health Officer

Concurrence:



Dr. Courtney N. Phillips
LDH Secretary

04/28/2021
DATE